

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

EMANUEL JONES	:	
	:	
Plaintiff,	:	
v.	:	C.A. No. 06-674-SLR
	:	
OFFICER NORRIS and NEW CASTLE	:	
COUNTY POLICE DEPARTMENT,	:	
	:	
Defendants.	:	

DEFENDANTS' MOTION FOR ENLARGEMENT OF TIME

Defendants Officer Bradley Norris and the New Castle County Police Department, by and through undersigned counsel, respectfully move this Court pursuant to Fed. R. Civ. P. 6(b)(1) and D. Del. L.R. 16.4 to enlarge the time to complete discovery and file their dispositive motion until such time that certain discovery issues are resolved and completed by the parties, and that Plaintiff's Motion to Appoint Counsel has been ruled on by This Court. In support of their motion, Defendants assert as follows:

1. On November 2, 2006, the Plaintiff filed a Complaint in the above-captioned case. At all times relevant to the within motion, the Plaintiff has been incarcerated, and is currently is a prisoner in the Plummer Community Corrections Center in Wilmington, DE. The Plaintiff has filed this action pro se.
2. By Memorandum Order dated December 19, 2006, This Court dismissed Domenick Gregory from the case and granted Plaintiff's motion to amend the Complaint.
3. On January 12, 2007, This Court granted the Plaintiff's motion to voluntarily dismiss the Amended Complaint and ordered that the case would proceed with the original Complaint.

4. Service of process on Defendants Officer Bradley Norris and New Castle County Police Department was effectuated on or before February 26, 2007.

5. Defendant New Castle County Police Department filed an Answer to the Complaint on March 1, 2007. An Answer to the Complaint on behalf of Defendant Officer Norris was filed on April 10, 2007.

6. Plaintiff filed and served a discovery request on defendants on April 30, 2007. Defendants filed and served responses to such discovery on May 30, 2007.

7. On June 15, 2007, This Court issued a Scheduling Order which directed that discovery was to be completed by August 13, 2007 and dispositive motions were to be filed by September 13, 2007.

8. Defendants filed and served interrogatories and a request for production on July 10, 2007. The Plaintiff filed and served a second request for production on August 7, 2007.

9. The Plaintiff filed answers to the Defendants' interrogatories on August 7, 2007. These answers, however, are deficient in many respects. The Plaintiff has not responded to the Defendants' request for production.

10. On September 5, 2007, the Plaintiff filed a motion to appoint counsel. Such motion is awaiting decision by This Court.

11. All parties have made good faith efforts to proceed in accordance with This Court's June 15, 2007 Scheduling Order.

12. Resolution of the discovery issues is exacerbated by the fact that the plaintiff is confined to the Plummer Community Corrections Center and is unrepresented by counsel. A small enlargement of time is requested and needed, therefore, to allow the

parties to resolve these issues, so that the defendants can file a comprehensive dispositive motion.

WHEREFORE, based on the foregoing, Defendants Officer Bradley Norris and the New Castle County Police Department respectfully request that the time for dispositive motions be enlarged for a short period to allow for the resolution of discovery issues and the completion of discovery, as well as to allow for a ruling by This Court on Plaintiff's Motion to Appoint Counsel.

NEW CASTLE COUNTY OFFICE OF LAW

/s/ Julie M. Sebring
Julie M. Sebring, Esq. – DE ID #2259
Assistant County Attorney
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87 Read's Way
New Castle, DE 19720
(302) 395-5130
Attorney for Defendants

Dated: September 11, 2007

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

EMANUEL JONES

Plaintiff,

v.

OFFICER NORRIS and NEW CASTLE
COUNTY POLICE DEPARTMENT,

Defendants.

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C.A. No. 06-674-SLR

ORDER

AND NOW, this _____ day of _____, 2007, upon consideration of the Defendants' Motion for Enlargement of Time, the motion is hereby **GRANTED**, and the deadline for the filing of dispositive motions shall be on or before the _____ day of _____, 2007.

J.

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COUNTY POLICE DEPARTMENT,	:	
	:	
Defendants.	:	

CERTIFICATE OF SERVICE

I, Julie M. Sebring, Esquire, hereby certify that on this 11th day of September, 2007, I caused two (2) copies of the foregoing copy of the Defendants' Motion for Enlargement of Time to be served via U.S. mail upon the following parties:

Emanuel H. Jones
SBI #557338
Plummer Community Corrections Center
38 Todds Lane
Wilmington, DE 19805

NEW CASTLE COUNTY OFFICE OF LAW

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